

COMMISSION ON JUDICIAL SELECTION
APPLICATION
EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT 29

By

Karl Wesley Armstrongs
(Insert applicant name)



Karl W. Armstrong
Judicial Selection Application
Department 29

Question 1- Full Name: Karl Wesley Armstrong

Question 2- Have you ever used or been known by any other legal name(including a maiden name): No

Question 3-Work Address: Department of Administration, Appeals Division

2200 S. Rancho Drive

Suite 200

Las Vegas, Nevada 89102

Question 4- How long have you been a continuous resident of Nevada? : 26 Years

Question 5- Age: 58 Years Old

Question 6- Employment History

Present Employer: State of Nevada, Department of Administration, Hearings Division

Phone Number: (702) 486-2527

Supervisor's Name: Brian Nix, Esq.

Supervisor's Title: Senior Appeals Officer

Your Title: Appeals Officer

Specific Duties: Appeals Officers conduct appeals of Hearing Officer decisions, as well as direct appeals in a wide variety of administrative law matters. In addition to hearing appeals from Hearing Officer decisions, the Appeals Officers hear State Purchasing bid disputes, Medicaid appeals, Department of Business and Industry, Division of Industrial Insurance Regulation appeals, and Financial Institution hearings, Purchasing Division bid award appeals, Department of Education teacher certification appeals, and other administrative law matters.

A person who disagrees with a Hearing Officer decision has 30 days to appeal the Hearing Officer decision to the Appeals Officer.

Appeals Officer hearings are "on the record" and are digitally recorded for purposes of providing transcripts of the proceeding in case of further appeals.

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Appeals Officers will review the Hearing Officer decision, but they will conduct an entirely separate hearing, and the parties must separately submit the evidence they want the Appeals Officer to consider. The Appeals Officer does not consider the evidence submitted to the Hearing Officer unless it is submitted again, or unless a written request is made to admit the evidence previously submitted to the Hearing Officer.

The Appeals Officer can Affirm, Reverse, or Remand the Hearing Officer Decision or enter other orders allowed by law.

Previous Employer: Ray Lego & Associates

Phone Number: (702) 479-4350

Address: 7450 Arroyo Crossing Parkway, Suite 250

Las Vegas, Nevada 89113

From: June 2004- July 1, 2016

Supervisor's Name: Janet Wells, Esq.

Supervisor's Job Title: Associate Managing Counsel

Your Title: Senior Counsel, Claims

Specific Duties: Senior litigation attorney in the Las Vegas Staff Counsel Office of Travelers Insurance. I began in the office practicing in the areas of commercial litigation, auto litigation and personal liability defense. For the five years preceding my departure from the office, I practiced exclusively in the area of Worker's Compensation law. Duties with Ray Lego and Associates included:

- (a) Participation in arbitrations and mediations;
- (b) Prepare and conduct jury trials when necessary;
- (c) Advise clients on interpretation of Nevada law;
- (d) Conduct claim seminars and presentations;
- (e) Interface with persons inside and outside of Travelers to provide quality and time efficient legal representation

Reason for Leaving: Being appointed an Appeals Officer in the Department of Administration, Hearings Division

Previous Employer: Karl Armstrong, Esq.

Phone Number: (702) 453-9372

Address: 1931 Fair Ave.

Las Vegas, Nevada 89106

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From: October 2003 to June 2004

Supervisor's Name: Karl W. Armstrong, Esq.

Supervisor's Job Title: Self Employed Attorney

Your Title: Attorney

Specific Duties: Independent Contractor who performed legal research and trial preparation services for a number of legal offices. Provided legal consulting services in the areas of Personal Injury, Employment, Contracts, Medical Malpractice and Criminal Law. Conducted legal research using both LEXIS and WESTLAW. Drafted motions, pleadings and other documents as required. Provided mediation, arbitration and trial preparation services.

Reason for Leaving: Obtained employment in the Staff Counsel Office of Travelers Insurance.

Previous Employer: Karl W. Armstrong & Associates (State Farm Staff Counsel Office)

Phone Number: Not Applicable as this office was closed by State Farm

Address: Karl W. Armstrong & Associates

State Farm Staff Counsel Office

10000 West Charleston Boulevard, Suite 140

Las Vegas, Nevada

From: January 2003 to September 2003

Supervisor's Name: Joyce Watz, Esq.

Supervisor's Job Title: Regional Managing Counsel

Your Job Title: Interim Managing Counsel

Specific Duties:

Supervisor's Name: Karl W. Armstrong, Esq.

Specific Duties: Duties included supervision of four staff attorneys, three legal secretaries and a receptionist. Counseled employees on employment and performance issues. Adhered to company policies as they related to employee discipline and approved all time sheets and leave requests for all employees. Conducted continuing education and employment seminars for all employees. Managed office workflow and work quality issues. Continued to manage an active litigation workload of 50 cases while interim managing counsel.

Reason for Leaving: State Farm closed its local staff counsel office.

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Previous Employer: Sharon Gwin Immerman & Associates

Address: Sharon Gwin Immerman & Associates

State Farm Staff Counsel Office

10000 West Charleston Boulevard, Suite 140

Las Vegas, Nevada

From: February 2001 to January 2003

Supervisor's Name: Sharon Gwin Immerman, Esq.

Supervisor's Job Title: Managing Counsel

Your Title: Senior Staff Counsel

Specific Duties: Hired as a senior staff attorney working in the areas of automobile and homeowner's insurance defense. Participated in arbitrations and mediations, prepared and litigated jury trials when necessary. Also advised clients on Nevada law requirements and conducted claim seminars and presentations. I provided quality and time efficient legal representation.

Reason for Leaving: Selected as Interim Managing Counsel

Previous Employer: University and Community College System of Nevada (now known as Nevada System of Higher Education)

Phone Number: (702) 889-8426

Address: 5550 West Flamingo Road, Suite C1

Las Vegas, Nevada 89103

From February 1997 to January 2001

Supervisor's Name: Thomas Ray

Supervisor's Job Title: General Counsel

Your Title: Assistant General Counsel

Specific Duties: Member of a five person legal staff that was responsible for representation on all legal matters of the Institutions that comprise the Nevada Public Higher Education System. Represented the System on several advisory committees; i.e. computer use policy committee and the committee revising the Student Disciplinary Code of Conduct. Provided legal counsel to the Chancellor's Office as well as the Nevada Board of Regents in litigated matters. The areas of practice included: civil litigation;

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employment and personnel matters; contract review and interpretation; construction law and intellectual property. Carried an active caseload of 20 to 30 cases. Trial counsel on six matters that went to jury verdict in both federal and state courts.

Reason for Leaving: Accepted position at State Farm Staff Counsel Office.

Previous Employer: Office of the Attorney General, State of Nevada

Phone Number: (702) 486-2830

From: November 1993 to February 1997

Supervisors' Name: David Sarnowski, John Redlein, Anne Cathcart, William Henry, Kevin Higgins, Thomas Ray

Supervisors' Job Titles: Chief of Criminal Division; Chief of Las Vegas Division; Senior Deputy, Litigation Division; Senior Deputy, Criminal Division; Senior Deputy, Worker's Compensation Fraud, Criminal Division; Chief of Litigation Division

Specific Duties: Legal Advisor to the Nevada Department of Prisons, Nevada Parole Board and the Nevada Department of Parole and Probation. Responsible for Contract review, personnel matters, policy implementation and litigation defense to the above referenced agencies. I was a Lead Prosecutor in the Las Vegas Office of the Worker's Compensation Fraud Unit. Was the Supervisor of the Las Vegas Worker's Compensation Fraud Unit and selected cases for prosecution. Interacted with public and business leaders regarding the Worker's Compensation Fraud Unit's public education efforts. I prepared and argued Post Conviction and Habeas Corpus Petition replies on behalf of the State of Nevada. Argued two cases before the Ninth Circuit Court of Appeals with published opinions. Lead trial counsel on three cases that went to jury verdict in Federal Court. Handled the following civil litigation case areas on behalf of the State of Nevada: Inmate Civil Rights; 1st, 8th and 14th amendment cases; excessive force in prison cases; failure to protect cases; medical deliberate indifference and medical and dental malpractice cases.

Reason for Leaving: Accepted a position as Assistant General Counsel of the University System.

7. List Names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving

Lindblom Technical High School

6130 S. Wolcott Avenue

Chicago, Illinois

Attended 1972 to 1976; High School Diploma with Honors, Top 5% of class

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Northwestern University

Evanston, Illinois

Attended 1976 to 1980, No Degree Conferred

University of Illinois at Chicago

Chicago, Illinois

Attended 1981 to 1985; Bachelor of Arts in Criminal Justice

8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.

Lindblom High School

Lindblom Honor Society, 1972 to 1976

Junior Achievement (president of 4 companies), 1972 to 1976

President Caduceus Club, 1973 to 1974

Student Government Member, 1973 to 1976

Junior Achievement, Student Speaker, "Future Unlimited" Banquet, 1974

Junior Achievement, Finalist, President of the Year, 1974

Junior Achievement Leadership Award, 1974

President, German Club, 1975 to 1976

National Honor Society, 1975 to 1976

National Achievement Scholarship Semifinalist, 1975 to 1976

School Science Fair Winner, 1976

Senior Brothers Council, Member, 1976

Recipient, Lindblom Leadership Scholarship, 1976

Recipient, Top 10 Outstanding Seniors Award, 1976

Managing Editor, Lindblom Leader Newspaper, 1975 to 1976

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Northwestern University

Treasurer, For Members Only, 1978 to 1979

Chair, Student Activities Funding Board, 1978 to 1979

Treasurer, Associated Student Government, 1978 to 1980

Member, Student Activities Funding Board, 1977 to 1980

University of Illinois at Chicago

Vice Chairman, Chicago Circle Center Board , 1984 to 1985

Treasurer, Student Government, 1982 to 1984

Chair, Recreation Committee, Chicago Circle Center Board, 1983 to 1984

9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.

University of Iowa College of Law

Iowa City, Iowa

Juris Doctor, May 1988

Graduated top half of class, C+/B- Average

10. Indicate whether you were employed during law school, whether the employment was full time or part time, the nature of your employment, the name(s) of your employer(s), and dates of employment.

Research Assistant, Admissions Department (part time)

University of Iowa College of Law, employed during 1986-1987 school year

Supervisor, Dennis Shields, Director of Admissions

Performed research functions for the Admissions Department and coordinated the Annual Bridging the Gap Conference for prospective law students.

11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, extracurricular activities.

University of Iowa College of Law

Member, Black Law Students Association, 1985 to 1988

Vice President, Black Law Students Association, 1986 to 1987

Semifinalist, Van Oosterhout Memorial Moot Court Competition, 1986 to 1987

Staff Member, Volume 12 of *The Journal of Corporation Law*, 1986 to 1987

Managing Editor, Volume 13 of *The Journal of Corporation Law*, 1987 to 1988

12. State the year you were admitted to the Nevada Bar

I was admitted in 1993

13. Name states (other than Nevada) where you are or were admitted to practice law and you year of admission.

I was admitted in Illinois in 1989.

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates and locations.

I have never been disciplined as an attorney in any jurisdiction.

15. Estimate what percentage of your work over the last five years has involved litigation matters, distinguishing between trial and appellate courts. **For judges**, answer questions 16-21 for the five years directly preceding your appointment to the bench.

For the past five years, my practice has involved trial matters in the administrative arena involving worker's compensation cases representing Employers and Travelers Insurance at administrative hearings and appeals. During this period, infrequent petitions for judicial review were addressed to the District Court.

16. Estimate percentage of time spent on (1) domestic/family and juvenile law matters, (2) civil litigation, (3) Criminal matters, and (4) administrative litigation.

During the past five years, my practice has been almost exclusively administrative litigation in the worker's compensation context. Prior to this, my practice was split 80% civil litigation and 20% administrative litigation. During my time with the Attorney General's Office and the University System, the split of time spent in each area was as follows: Civil Litigation- 60%; Administrative Litigation- 20%; Criminal Matters-20%. From 1988 to 1991 I was an Assistant Public Defender in Chicago, Illinois. The practice was split during that time frame as follows: Criminal Matters-60%; Juvenile Matters (Abuse and Neglect) – 40%.

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non- jury trials?

During the past five years, none of my cases were set for jury or non-jury trial; all of the cases have been full administrative hearings in the Worker's Compensation arena. (In years beyond the five year limitation, I conducted at least 9 jury trials in both state and federal court-I was lead counsel in all these matters)

18. Give the approximate number of jury cases tried to conclusion during the past five years with you as lead counsel. Give the approximate number of non- jury trials tried to a decision in the same period.

I have not tried jury on non- jury trials in the five preceding years as I participated in Administrative Law Hearings in the Worker's Compensation area.

19. List Courts and Counties in any state where you practiced in the past five years.

Nevada

8th Judicial District Court, Clark County, Nevada

1st Judicial District Court, Carson City, Nevada

2nd Judicial District Court, Washoe County, Nevada

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved) and list or describe:

- a. Case name and date
 - b. Court and Presiding Judge and all Counsel
 - c. The importance of each case to you and the impact of each case on you
 - d. Your role in the case
-
1. Custom Floors v. PCL Construction Services, University of Nevada Las Vegas et.al.; 3/29/2000; Honorable Sally Loehrer, Presiding Judge, Eighth Judicial District Court, Department 15; opposing counsel Elissa Lavelle, Esq (PCL Construction) and; Karl W. Armstrong, Esq. (University of Nevada)

I was lead counsel for the University of Nevada and University System defendants in this case. This was a payment dispute over workmanship of the floors at one of the buildings at the University of Nevada Las Vegas. The University as well as the General Contractor was sued. We were dismissed from the lawsuit as the General Contractor was liable for all suits regarding this construction project and we were to be held harmless and were indemnified by the General Contractor, PCL. This case illustrated the

importance of writing good contracts with indemnity provisions that were explicitly worded to cut down on needless litigation.

2. Walker v. Deeds, August 9, 1994, 50 F.3rd 670; Honorable William Norris, Circuit Judge, Ninth Circuit Court of Appeals; opposing counsel John Lambrose, Esq. (Walker) and; Karl W. Armstrong, Esq. (State of Nevada)

Petitioner was charged in a criminal proceeding and convicted as a habitual criminal under the Nevada criminal statutes. Mr. Walker filed a Petition of Habeas Corpus to the United States District Court which was denied. He appealed this denial to the Ninth Circuit Court of Appeals. The above is the decision of that Court after the parties fully briefed the matter and argued the case before a three judge panel of the Court. The Court found that the mere fact of his being convicted of three predicate felonies does not automatically result in an adjudication as a habitual criminal subject to the criminal sentence enhancement of life in prison. The Court held that there must be a separate finding by the Court that the designation of someone as a habitual criminal was also "just and proper" under the circumstances. As the third predicate felony was of such a minor nature, the Court found that the habitual criminal sentence was too harsh when the third predicate felony was a grand larceny. I learned that there is now a discretionary standard that is imposed before imposition of a habitual criminal sentence enhancement. The State of Nevada can no longer prophylactically adjudicate a person a habitual criminal just because they meet the requirement of having three predicate felonies. I learned that there is discretion in imposing the habitual criminal enhancement and that judges do not have to enforce laws that seem automatic on their face.

3. Riley v. Deeds; April 7, 1995, 56 F. 3rd 1117, Honorable David R. Thompson, Circuit Judge, Ninth Circuit Court of Appeals; opposing counsel John Lambrose, Esq. (Riley) and; Karl W. Armstrong, Esq. (State of Nevada)

Petitioner filed a Writ of Habeas Corpus with the District Court which was denied. The appeal of that decision was heard by the 9th Circuit Court of Appeals and this was their decision after full briefing and oral argument. Petitioner was convicted in State Court of Sexual Assault and First Degree Kidnapping. During jury deliberations at his State Court trial, the jury asked for a read back of part of the victim's testimony. The presiding judge was not in the courthouse when this request was made by the jury. The State Court somehow allowed the read back and there was no objection interposed by counsel for Riley. The judge was not present in court when the read-back occurred. The 9th Circuit stated in its opinion that it found structural error in allowing the read-back without the presence of the judge and rejected our "harmless error" analysis. The appellate court stated that the judge's unavailability and the presiding at the read-back of the judge's law clerk did not give the Petitioner a meaningful opportunity to object to this procedure and since the evidence read back was by the main complaining witness against the Petitioner, there was structural error rendering the trial fundamentally unfair. What I learned from this case is that the presiding judge must be present to rule on all aspects of a trial that will and could affect its outcome. The witness whose

testimony was to be read back was critical in the conviction of the Petitioner. If there was evidence in the record showing that the judge in fact decided the read back query, the outcome in this matter would in all likelihood be upheld.

4. Mays v. State of Nevada; August 24, 1995, Per Curiam decision, Nevada Supreme Court; opposing counsel Terry Coffing, Esq. (Mays) and; Karl W. Armstrong, Esq. (State of Nevada)

The decision revolved around the giving of good time credits to an inmate on resentencing. Petitioner Mays wanted credit for the time served on Parole from the original sentence. As there was nothing in the statutory scheme precluding good time credits being given for time spent on parole, the Supreme Court ordered the Department of Prisons to include these credits in May's prison calculation. The case was of concern in that it allowed additional credit not allowed by statute to be credited as good time credits. Parole time was not specifically enumerated in the definition of statutory good time credits. I learned that if the good time statute were strictly construed, The State of Nevada would have prevailed in this case.

5. Reynolds v. Wolff, February 12, 1996, Honorable Edward C. Reed, U.S. District Court Judge, U.S. District Court of Nevada; opposing counsel Donald York Evans, Esq. (Reynolds), and ; Karl W. Armstrong, Esq. (State of Nevada)

Inmates at a Nevada prison brought a civil rights action against prison officials alleging violations of constitutional rights in which good time credits were revoked. I filed a motion to dismiss the law suit. The District Court converted the motion to a Motion for Summary Judgment and granted that motion. The inmates lost their good time credits after a disciplinary hearing because of their alleged violation of prison rules. The good time credit statute that was the subject of this case granted day for day good time to prisoners as long as there was no serious misbehavior while in prison. The only issue in which to decide the motion was whether there was some evidence supporting the decision to revoke the good time credits, The testimony of the correctional officers and their written reports supported the "some evidence" standard enunciated by the Court and as such supported summary judgment in this case. I learned that minimal due process was required before a protected right can be impacted for prisoners under the civil rights statute regarding a state's actions.

21. Do you serve or have you previously served as a mediator, an arbitration, a part-time or full time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience.

Appeals Officer, State of Nevada Hearings Division: Hear and decide administrative appeals filed by litigants in the Worker's Compensation context; This is a full record proceeding in which witnesses are sworn and evidence taken; The Appeals Officers have the power to issue subpoenas and rule on evidentiary disputes as well as manage their case calendars.

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Member of Commission on Judicial Discipline since 2001: The Commission, when in public hearing against a respondent judge, acts as a Court of Judicial Discipline. The Commission also investigates and rules on complaints filed against judges that allege violation of the Code of Judicial Conduct.

22. Describe any pro bono or public interest work as an attorney.

Volunteered as a Board member and legal advisor to the Stop the F Street Closure Coalition

Acted as legal advisor to the First African Methodist Church between 2004 to 2008

23. List all bar associations and professional societies of which you have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.

Nevada Bar Association

- Member 1993 to present

Las Vegas Chapter of the National Bar Association

- Member 1990 to present
- Treasurer 2012 to 2013
- Vice President 1994 to 1995.

24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?

I am in compliance with my CLE obligation and have been compliant since my admission to the Nevada Bar. I have taken courses in ethics, substance abuse prevention, and worker's compensation law during the past five years. I have also taken courses in client representation in the insurance context and legal writing during this time period.

25. Do you have Professional Liability Insurance or do you work for a governmental agency?

I have professional liability insurance through my employment at Travelers Insurance.

26. Have you ever been engaged in any occupation, business or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business or profession.

I have not been engaged in any business other than the practice of law.

27. Do you currently serve or have you served in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:

- a. the nature of your business
- b. the nature of your duties
- c. the extent of your involvement in the administration or management of the business
- d. the terms of your service
- e. the percentage of your ownership

As Interim Managing Counsel at State Farm Insurance, my duties included supervision of four staff attorneys, three legal secretaries and a receptionist. Counseled employees on employment and performance issues. Adhered to company policies as they related to employee discipline and approved all time sheets and leave requests for all employees. Conducted continuing education and employment seminars for all employees. Managed office workflow and work quality issues. Continued to manage an active litigation workload of 50 cases while inter managing counsel. I held this position from January

2003 to September 2003. I had no ownership interest in the law practice as this was a law office operated by State Farm Insurance.

During the 2003 to 2004, I was 100% owner of my practice and regulated and controlled my own activities and managed my own finances.

28. List experience as an executor, trustee or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service, and, if any, the percentage of your ownership.

I have not served as an executor, trustee or fiduciary in my career.

29. If you have previously served as an elected judge (since January 1, 2004 to present) have you been rated for retention by a local bar association or by a commercial newspaper? If the answer is yes, what years were you rated and what retention percentage rating did you receive?

Not applicable

30. Have you ever held an elective or appointive public office in this or any other state? Have you been a candidate for such an office? If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

I have not held an elective or appointive office in Nevada or any other State.

31. State significant activities in which you have taken part, giving dates and offices or leadership positions.

Bar Admittance:

- State of Nevada, 1993
- U.S. District Court of Nevada, 1993
- 9th Circuit Court of Appeals, 1993
- Illinois State Courts, 1989

Boards and Commissions:

- Nevada Commission on Judicial Discipline
Commissioner, 2001 to present

Appointed by the State Bar of Nevada to serve as one of two attorney members of this constitutionally established commission that has exclusive jurisdiction over conduct of all state judicial officers as defined in the Canons of Judicial Ethics. Also enforces these canons of ethics. Sits as a court of judicial discipline in deciding whether to impose discipline on judicial officers alleged to have violated the canons of judicial conduct.

Standing Committee on Judicial Ethics and Election Standards

- Member 2000 to 2001
Committee established by the Supreme Court to resolve ethical disputes between judges and judicial candidates during campaign season and also to render advisory opinions regarding the application of the Canons of Judicial Conduct to specific questions posed by members of the judiciary, judicial candidates, and the general public.

(FAME) Transportation, Inc.

- Member, Board of Directors and legal counsel, 2004 to 2008
Nonprofit organization providing transportation services to the handicapped and elderly throughout Clark County. The organization is a subsidiary of the First African Methodist Episcopal Church.

Southern Nevada Disciplinary Board,

- Member, 1993 to 2002, 2010 to 2013

Appointed by the State Bar of Nevada to serve as a member of the panel that screens and hears disciplinary cases against attorneys. This panel is charged with the responsibility for hearing cases involving lawyer violations of the Code of Professional Conduct. The panel conducted disciplinary hearings and made recommendations to the Nevada Supreme Court regarding attorney disciplinary matters.

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Las Vegas Chapter of the National Bar Association

- Treasurer, 2011 to 2013
- Vice President, 1995 to 1996
- Member, 1990 to present

Easter Seals of Southern Nevada

- Secretary to Board of Directors, 2014 to present
- Chairman of Board of Directors, 2009 to 2013
- Member, Board of Directors, 2008 to present

100 Black Men of Las Vegas

- Member, 2012-2013

Big Brothers Big Sisters of Nevada

- Member, Board of Directors, 1998 to 2002

State Bar of Nevada

- Member, Public Lawyer's Section, 1994 to 1996

Boulder Dam Area Council, Boy Scouts of America

- Member, Board of Directors, 1994 to 1996

33. List Educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions.

I have not served in the military.

I have been a member of Mountaintop Faith Ministries for many years. I served as an assistant Sunday school teacher and team leader with the Awana Program from 2009 to 2011.

34. List Honors prizes awards or other forms of recognition.

Outstanding Young Men of America

Martindale Hubbell BV Rating

Who's Who among Students in Colleges and Universities

University of Illinois at Chicago Alumni Association Student Leadership Award

35. Have you at any time in the last 12 months belonged to or do you currently belong to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy.

I do not nor have ever belonged to such a club or organization.

36. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates.

Not applicable.

37. During the past ten years, have you been registered to vote? Have you voted in the general elections held in those years?

Yes.

38. List avocational interests and hobbies

I enjoy reading science fiction novels and traveling.

39. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges and dispositions.

I have never been convicted or formally found to be in violation of any federal, state or local law ordinance or regulation.

40. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or have acted unprofessionally by any court, judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to question 71.

I have not been sanctioned nor reprimanded by any discipline commission in either Illinois or Nevada.

41. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal or moral? If yes, please explain.

I was placed on probation at Northwestern University my first year for not maintaining a mid c average. I was removed from probation by the end of the first semester second year.

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42. Have you ever been refused admission or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.

I have never served in the Armed Forces.

43. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.

No, a lien has not been asserted against me or my property.

44. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?

No automatic stays have been issued against any property I hold in either a present or future bankruptcy case.

45. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result.

I applied to the Commission on Judicial Selection in the early 2000s for a vacant position on the Las Vegas Family Court bench. I was not selected. *I applied March 17, 2005 and was selected.*

46. In no more than three pages (double spaced) attached to this application, provide a statement describing what sets you apart from your peers, and explains what particular education, experience, personality, or character traits you possess or have acquired that you feel qualify you as a good District Court judge. In so doing, address both the civil (including family law matters) and criminal processes (including criminal sentencing.)

I came to Las Vegas in 1990 as a young attorney from Chicago. After graduating from University of Iowa Law School, I practiced criminal law in the Cook County Public Defender's Office.

Growing up on the south side of Chicago, I learned early on that those who could afford legal representation got a good deal; those that could not went to jail. Although I had the ability and education to enter corporate law, I saw this disparity and chose to begin my career serving poor clients.

My first assignment was working in the Post-Conviction Unit. This unit reviewed prisoner petitions to determine whether error at trial occurred. The transcripts of their proceedings were analyzed and scrutinized for possible trial error. After the transcripts were reviewed, a meeting with the prisoner was arranged to listen to their side of the story. If an error of constitutional dimension were found, I was then tasked with writing the appellate brief supplementing their post-conviction petition to the trial court. The petition was then argued before the judge who rendered judgment on the particular prisoner after trial or other court proceedings.

After some time I was transferred to the juvenile division of the Public Defender's Office representing parents of abused and neglected children. It was my job to help parents regain custody of their children. This position showed me how the law was meant to help people and that it should be interpreted with this goal in mind. My final assignment in that office was representing criminal defendants. The post-conviction, juvenile and criminal division experiences gave me an understanding of criminal law and procedure from the ground floor.

Before graduating from law school, I served as a staff member and then Managing Editor of the Journal of Corporation Law. The writing and editing done by serving on this scholarly journal taught me to write concise and clear briefs on behalf of my clients. Working in collaboration with my peers, the journal was released quarterly and circulated to law schools, libraries and businesses across the county.

In 1989, I was invited by a friend to come to Las Vegas for a vacation. While here, I was introduced to The Honorable Addelmar D. Guy, III (deceased). Six months after I returned to Chicago, Judge Guy offered me a position as his law clerk. I had the pleasure of working for him and the Honorable Sally Loehrer. I learned from them the temperament needed to be an effective jurist. Their high ethical and professional standards pushed me to hone my analytical skills when providing summaries of the cases before them. These jurists brought with them common sense and a passion for the law that they used in tandem to resolve disputes between the parties. They were always prepared and held those that appeared before them to these rigorous standards. They were keen on making decisions timely and not allowing litigants to wait too long for the decision in their matters. Their passion for the law and their professionalism in administering the same inspired me to want to become a jurist.

After working as a law clerk, I took a position with the Nevada Attorney General's Office. There I learned to be an effective appellate advocate in both the civil and criminal arenas as well as develop skills in trying civil cases. The practice in the attorney general's office was invaluable in teaching me to work on tight deadlines while putting out quality work that benefitted my clients. I also gained valuable insight into the mind of a prosecutor when I was tasked with prosecuting worker's compensation fraud cases. This assignment provided me a keen awareness of the intersection between the rights of the accused and the rights and responsibilities of the state. As a public defender, I learned first-hand that there is a fine line between zealous advocacy and prosecutorial overreach. Now as a prosecutor, I had to balance

fairness to the interest of people of the State of Nevada versus the rights of the accused. As officers of the court we are responsible for the interest of all the people of the State of Nevada and not just those that have the means to zealously advocate in our system of justice.

In 1997, I accepted an opportunity to work for the University and Community College System of Nevada (UCCSN). This position afforded me the opportunity to advise clients on a large range of issues and to conduct extensive civil trial work. There was no area of law that escaped my reach at UCCSN. The issues included but were not limited to intellectual property disputes, personnel, departmental policies and procedures, construction management, contract review and real estate purchases.

My work for State Farm Insurance and Travelers Insurance (2002 to present) has continued my experience in conducting varied civil trial assignments. It is imperative that an appellate jurist have knowledge of both criminal and civil matters as all would come before them for adjudication.

I believe the purpose of an appellate jurist is to carefully scrutinize the record, listen carefully to oral argument and compare and contrast the written arguments to the record on appeal. Judges are paid to resolve disputes that the parties cannot resolve themselves. Lawyers want and deserve timely decisions in their matters so that they may properly advise their clients. That is the role of an appellate court. It gives finality to disputes placed before it.

I have spent a career observing and participating in our justice system and have the varied experiences in my career to administer justice fairly and expeditiously. I know my way around a trial court as well as an administrative tribunal. I have written and argued before both federal and state appellate courts. I have prosecuted criminal cases as well as represented the rights of the criminally accused. I have been a civil litigant and participated in civil trials and civil litigation. However, what is most important to me and

what I would bring to the appellate court are the highest standards of ethics and integrity. I learned the importance of these principles in my over a decade of service on judicial and lawyer discipline panels. A judge, based on my experience, should be a shining example of competence and integrity for the people that he or she serves. Delayed decisions in adjudicated matters can destroy the lives of civil litigants and criminal defendants. Justice delayed is justice denied.

Karl W. Armstrong
Judicial Selection Application
Department 29

47. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

In my legal experience, the following information should be noted:

Law Clerk, January 1993 to August 1993

Eighth Judicial District Court
The Honorable Sally L. Loehrer
200 S. Third Street, Department XV
Las Vegas, Nevada 89155

Prepared case summaries on all pending matters. Briefed judge on all criminal and civil cases. Reviewed orders submitted by counsel for accuracy and form. Performed legal research as directed using WESTLAW and printed legal materials. Drafted for judge's review decisions on cases argued before the bench. Interacted with legal community as necessary regarding cases before the Court.

Law Clerk, August 1991 to December 1992

Eighth Judicial District Court
The Honorable Addelmar D. Guy, III
200 S. Third Street, Department XI
Las Vegas, Nevada 89155

Prepared case summaries on all pending matters. Briefed judge on all criminal and civil cases. Reviewed orders submitted by counsel for accuracy and form. Performed legal research as directed using WESTLAW and printed legal materials. Drafted for judge's review decisions on cases argued before the bench. Interacted with legal community as necessary regarding cases before the Court.

Assistant Public Defender, June 1988 to August 1991

Office of the Cook County Public Defender
69 West Washington, Suite 1600
Chicago, Illinois

Began tenure in the Post-Conviction Unit, which represented indigent defendants in investigating and filing post-conviction petitions. Position involved reviewing the record and researching criminal issues to argue before the court to determine whether there was a basis to overturn a defendant's conviction. Subsequently posted to the Juvenile Division. Represented parents of abused and neglected children in juvenile court. Duties included: preparing protective orders; representation at termination of rights proceedings and custody determination hearings. Last posted to the 6th Judicial District Court in Markham, Illinois. Provided legal representation in felony and misdemeanor matters for indigent accused. Lead trial counsel on ten matters that went to jury verdict in state court.